

SEP 22 2004

CERTIFICATION OF FACSIMILE TRANSMISSION

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Audrey Boyd September 22, 2004
Signature Date

Attorney Docket No. B45186

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Garcon, et al. September 22, 2004
Serial No.: 10/018,695 Group Art Unit: 1648
Filed: 26 June 2004 Examiner: J. PARKIN
For: VACCINE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO REQUIREMENT FOR UNITY OF
INVENTION UNDER 37 C.F.R. § 1.499**

Sir:

In response to the Office Action for the above captioned application mailed on 26 July 2004, Applicant provides the following remarks. A petition under 37 C.F.R. § 1.136(a) for a one-month extension of time accompanies this response. Please charge any additional fees that may be required in support of this paper to Deposit Account No. 19-2570.

The Examiner asserts that this application was filed under 35 U.S.C. §371 and is subject to unity of invention practice pursuant to 35 U.S.C. §121 and 372. In particular, the Examiner asserts that the application contains the following inventions or groups of inventions which are not so linked as to form a single inventive concept under PCT Rule 13.1:

Group I. Claims 15-24, drawn to a composition comprising a CpG oligonucleotide and an HIV antigen.

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- Group II. Claims 25-27, drawn to a method for the prevention or amelioration of HIV infection through the administration of a composition comprising a CpG oligonucleotide and an HIV antigen.
- Group III. Claim 28, drawn to a method for the production of an HIV vaccine.
- Group IV. Claim 29, drawn to a method for the prevention or amelioration of HIV infection utilizing a prime/boost regimen.

The Examiner asserts that Unity of invention is lacking because the inventions listed as Examiner's Groups I, II and III and IV do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical feature. Applicants elect Group I, pertaining to Claims 15-24.

Applicants retain the right to file divisional applications on the non-elected subject matter, or any other claims supported by the instant specification, should the restriction requirement become final.

Respectfully submitted,



William R. Majarian
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Garcon et al. September 22, 2004
Serial No.: 10/018,695 Group Art Unit No.: 1648
Filed: 26 June 2004 Examiner: J. Parkin
For: VACCINE

TRANSMITTAL LETTER

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

EXTENSION OF TIME PETITION

Applicants hereby petition for an extension of time for response from the date of the
Examiner's action as needed, the fee being as follows:

(x)	one month extension.....	\$ 110
()	two months extension.....	\$ 420
()	three months extension.....	\$ 950
()	four months extension (not beyond statutory time period).....	\$1480
()	five months extension	\$2010

Charge \$110.00 to Deposit Account No. 19-2570. Two copies of this form are enclosed.

Please charge any additional fees under 37 CFR 1.16 or 1.17 which may be required by this paper, or credit any overpayment, to Deposit Account No. 19-2570. Also, should the Patent and Trademark Office determine that the fee calculated in the above extension petition is not deemed sufficient to have this response considered as being timely filed, this constitutes a petition for extension of time for the minimum period to effect timely filing, and the Commissioner is authorized to debit any necessary fee to said deposit account.

Respectfully submitted,

William R. Majarian
William R. Majarian
Attorney for Applicants
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